



Docket No.: 42390P13499

#7 ed  
4-27-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HUBBERT SMITH

Application No.: 10/080,063

Filed: February 19, 2002

For: **NETWORK DATA  
STORAGE-RELATED OPERATIONS**

Art Group: 2188

Examiner: Thang H. Ho

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APR 14 2004

Technology Center 2100

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

04/13/2004 SSANDARA 00000021 10080063

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180.00 OP



The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

**RECEIVED**

**APR 14 2004**

**Technology Center 2100**

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Paul A. Mendonsa, Reg. No. 42,879

Date: April 08, 2004

12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025  
Telephone: (503) 684-6200

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Derek S. Watson*

04-08-04

*Date*



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No. 10/080,063

Filing Date February 19, 2002

First Named Inventor Hubbert Smith

Art Unit 2188

Examiner Name Thang H. Ho

Total Number of Pages in This Submission

Attorney Docket Number 42390P13499

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## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☒ PTO/SB/08

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Basic Filing Fee

☐ Declaration/POA

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

- check for \$180  
- copies of twenty-five (25) references  
- return postcard

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Paul A. Mendonsa, Reg. No. 42,879

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Signature

Date

April 8, 2004

## CERTIFICATE OF MAILING/TRANSMISSION

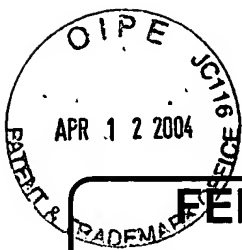
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name Derek S. Watson

Signature

Date

April 8, 2004



2188 \$

# FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 10/080,063  
Filing Date February 19, 2004  
First Named Inventor Hubbert Smith  
Examiner Name Thang H. Ho  
Art Unit 2188  
Attorney Docket No. 42390PT3499  
RECEIVED  
APR 14 2004  
Technology Center 2100

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number 02-2666  
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          | (\$)                   |          |

### 2. EXTRA CLAIM FEES

Total Claims 20\*\* = 20 X Fee from below = Fee Paid  
Independent Claims 3 = 3 X Fee from below = Fee Paid  
Multiple Dependent

| Large Entity |          | Small Entity |          | Fee Description                                           | Fee Paid |
|--------------|----------|--------------|----------|-----------------------------------------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                                           |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                         |          |
| 1203         | 290      | 2203         | 145      | Multiple Dependent claim, if not paid                     |          |
| 1204         | 86       | 2204         | 43       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          | (\$)                                                      |          |

\*\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity        |          | Small Entity |          | Fee Description                                                            | Fee Paid |
|---------------------|----------|--------------|----------|----------------------------------------------------------------------------|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |                                                                            |          |
| 1051                | 130      | 2051         | 65       | Surcharge - late filing fee or oath                                        |          |
| 1052                | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 2053                | 130      | 2053         | 130      | Non-English specification                                                  |          |
| 1812                | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253                | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254                | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255                | 1,210    | 2255         | 605      | Extension for reply within fifth month                                     |          |
| 1404                | 330      | 2401         | 165      | Notice of Appeal                                                           |          |
| 1402                | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403                | 290      | 2403         | 145      | Request for oral hearing                                                   |          |
| 1451                | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                | 110      | 2452         | 55       | Petition to revive - unavoidable                                           |          |
| 1453                | 1,330    | 2453         | 665      | Petition to revive - unintentional                                         |          |
| 1501                | 1,330    | 2501         | 665      | Utility issue fee (or reissue)                                             |          |
| 1502                | 480      | 2502         | 240      | Design issue fee                                                           |          |
| 1503                | 640      | 2503         | 320      | Plant issue fee                                                            |          |
| 1460                | 130      | 2460         | 130      | Petitions to the Commissioner                                              |          |
| 1807                | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)                                        |          |
| 1806                | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  | 180.00   |
| 8021                | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                | 770      | 1809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802                | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |                                                                            |          |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Paul A. Mendonsa  
Registration No. (Attorney/Agent) 42,879  
Telephone (503) 684-6200  
Signature [Signature] Date 04/08/04